

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

CLEO H KAIN  
STACIE MARIE KAIN  
12602 E V AVENUE

VICKSBURG MI 49097

Debtor(s) /

Case No: GK 13-03525

Date Filed: 4/25/13

Chapter 13

Honorable: John T. Gregg

**TRUSTEE'S MOTION TO DISMISS THE CHAPTER 13 PROCEEDINGS AND NOTICE OF  
MOTION PURSUANT TO 11 U.S.C. 1307(c)**

The Chapter 13 Trustee, **Brett N. Rodgers**, hereby moves this Court to dismiss the above captioned Chapter 13 case for the following reasons pursuant to 11 U.S.C. 1307(c):

(X) 1307(c)(6) Material default by the debtor with respect to a term of a confirmed plan:

(X) Other: Failure to provide 2015 tax returns and refunds

Note: As a result of the above Motion being made, your case could be converted to a Chapter 7 case.

**NOTICE OF MOTION**

Take notice that if a timely response is filed the within motion will be heard before the Honorable John T. Gregg on July 12, 2016 at 12:00 P.M. This hearing will be held at Federal Building, U.S Courthouse, Room 114, 410 W Michigan Avenue, Kalamazoo, MI 49007.

If you wish to oppose the Motion you must file a written response with the Bankruptcy Court at One Division Ave N, Room 200, Grand Rapids, MI 49503 and serve a copy upon the Chapter 13 Trustee at 99 Monroe Ave NW, Suite 601, Grand Rapids, MI 49503 within 30 days of the date on which the Bankruptcy Noticing Center (BNC) served this Motion to Dismiss. The response filed must comply with Local Bankruptcy Rule 9013(d) and must state with particularity the reasons why the Trustee's Motion should not be granted. If a timely response is not filed, the Chapter 13 Trustee may at any time after the expiration of the 30 day period, file with the Court a certificate stating that no timely response or request for hearing has been filed together with a proposed Order Dismissing the case and cancel the scheduled hearing date as moot.

Dated: 5/24/2016

/s/ Brett N. Rodgers

**Brett N. Rodgers, Trustee**

**PROOF OF SERVICE**

This Motion to Dismiss was served electronically upon the attorney for the debtor(s), if applicable, and the debtor(s) by the BNC.

**ATTORNEY FOR DEBTOR(S):**

CHARLES LAWRENCE BASCH